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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LEE REED,

Petitioner,

vs.

CALVIN JOHNSON, *et al.*,

Respondents.

Case No.: 2:21-cv-00942-APG-EJY

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE
ANSWER TO REMAINING CLAIMS IN
PETITION FOR WRIT OF HABEAS
CORPUS (ECF NO. 1)**

(THIRD REQUEST)

Respondents move this Court for an enlargement of time of 45 days from the current due date of December 22, 2022, up to and including February 6, 2023, in which to file their answer to the remaining claims in Lee Reed's Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 (ECF No. 1). This motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel. This is the third enlargement of time sought by Respondents for the answer and the request is brought in good faith and not for the purpose of delay.

DATED: December 22, 2022.

AARON D. FORD
Attorney General

By: /s/ Mariana Kihuen
Mariana Kihuen (Bar. No. 12241)
Deputy Attorney General

DECLARATION OF MARIANA KIHUEN

I, MARIANA KIHUEN, being first duly sworn under oath, deposes and states as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I have been assigned to represent Respondents in *Lee Reed v. Calvin Johnson, et al.*, Case No. 2:21-cv-00942-APG-EJY, and as such, have personal knowledge of the matters contained herein.

2. This Motion is made in good faith and not for the purpose of delay.

3. The deadline to answer to the remaining claims in Mr. Reed's petition is December 22, 2022.

4. I have been unable with due diligence to timely complete the answer herein.

5. I have been working diligently on this case and other Federal and State habeas petitions, including *Darby Neagle v. State of Nevada, et. al.* (Case No. 2:21-cv-00225-KJD-BNW), *Raul Gonzales v. Calvin Johnson, et al.*, (Case No. 2:21-cv-02055-GMN-DJA), *Francisco Alvarez v. William Hutchings, et. al.*, (Case No. 2:20-cv-01894-KJD-VCF), *Ricardo Jose Lopez v. Timothy Filson, et. al* (Case No. 3:11-cv-00635-MMD-CLB), *Jesse Noble v. State of Nevada* (Case No. 83024), *Petition for Interstate Rendition of a Material Witness (Avondre Kelly)* (Case No. C -22-368622-P), *Carl D. Edwards v. State of Nevada, et al.* (Case No. A-22-857167-W), *Jared Adam Bailey v. State of Nevada, et al.* (Case No. A-22-860435-W), *Isaias Lopez v. State of Nevada, et al.* (Case No. A-22-860478-W), *Jordan Perrey v. State of Nevada* (Case No. A-22-860355-W) etc.

7. A Deputy Attorney General in our division transferred to another division last week. The division remains understaffed, and the workload continues to increase.

8. On December 15, 2022, I communicated with counsel for Mr. Reed via email regarding this extension. Mr. Christopher R. Oram does not object to this request.

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1 9. For the foregoing reasons, I respectfully request an enlargement of time of 35 days, up to
2 and including February 6, 2023, in which to answer to the remaining claims in Mr. Reed's petition.

3 Executed on December 22, 2022.

4 /s/ Mariana Kihuen
5 Mariana Kihuen (Bar No. 12241)

6 IT IS SO ORDERED:

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9 UNITED STATES DISTRICT JUDGE

10 DATED: December 26, 2022